

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



ORDER DISMISSING APPLICATION

Application No. 15589 of Michael G. Landy, pursuant to 11 DCMR 3107.2, for a variance from the use provisions of Subsection 350.4 to allow a dental office in an R-5-C District at premises 4600 Connecticut Avenue, NW, (Square 1977, Lot 2015).

DECISION DATE: October 1, 1997

Application No. 15589 of Michael G. Landy was filed with the Board of Zoning Adjustment on August 19, 1991. A letter from Madeliene H. Robinson, Director of the Office of Zoning, dated December 7, 1992 was mailed to the applicant indicating that the application could not proceed without a letter addressed to the Board of Zoning Adjustment from the Board of Directors of the unit owners association, agreeing to participate as a co-applicant. Because neither inquiries were made as to the status of the application, nor was the requested information submitted, another letter from the Director of the Office of Zoning, dated June 12, 1997 was mailed to the applicant asking for a written statement of whether he wished to proceed or withdraw the application. The applicant responded with a letter indicating his intent to proceed with the application, but did not submit the required letter from the Board of Directors of the unit owners association. As the requested information was not submitted, a further letter was sent to the applicant on August 20, 1997 by Madeliene H. Dobbins, asking the applicant to submit the required letter, or face dismissal of the application. No further action was taken by the applicant to either withdraw the application or to proceed with the case. The only reasonable result of the applicant's election not to proceed pursuant to the Board's Rules is dismissal of the application.

The applicant has left the Board no reasonable alternative other than to dismiss this application for failure to prosecute.

Accordingly, it is **ORDERED** that this application is **DISMISSED** for want of prosecution.

VOTE: 4-0 (Susan M. Hinton, Maybelle Taylor Bennett, Laura M. Richards and Sheila Cross Reid, to dismiss; Betty King not present, not voting).

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BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


MADELIENE H. DOBBINS
Director

FINAL DATE OF ORDER: OCT 14 1997

UNDER 11 DCMR 3103.1, "NO DECISION OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

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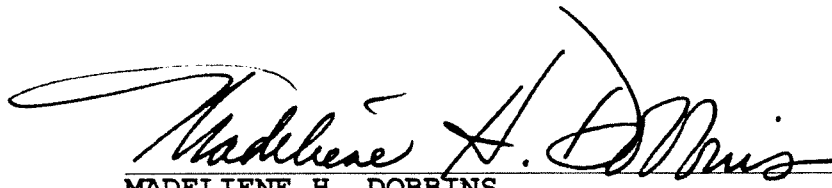


BZA APPLICATION NO. 15589

As Director of the Board of Zoning Adjustment, I certify and attest that on OCT 14 1997 a copy of the order entered on that date in this matter was mailed first class postage prepaid to each party in this matter, and who is listed below:

Michael D. Landy, DDS
12845 Huntsman Way
Potomac, Maryland 20854

Scott Strauss
Chairperson
Advisory Neighborhood Commission 3F
3400 International Dr., NW #2j21
Washington, D.C. 20008


MADELIENE H. DOBBINS
Director

DATE OCT 14 1997